

PTO/SB/26 (06-09)

Approved for use through 07/31/2009. CMB 0851-0031

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number: (Optional)
NY-LUD 5483-US7-DIV

In re Application of: Danila, Valmori et al.

Application No.: 10/758,673-Conf. #7395

Filed: January 16, 2004

For: ISOLATED NONA-AND DECAPEPTIDES WHICH BIND TO HLA MOLECULES, AND THE USE THEREOF

The owner, **LUDWIG INSTITUTE FOR CANCER RESEARCH**, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent No. **6,368,857** as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not claim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. **30,946**

Norman D. Hanson
Signature

July 9, 2009
Date

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Dated: July 9, 2009

Signature: *Fani Malkouzakis* (Fani Malkouzakis)

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